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7 **BEFORE THE**
8 **BOARD OF REGISTERED NURSING**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No.

2010-325

11 **INGRID IVONNE CADENAS**
1704 E. Walnut Creek Parkway
12 West Covina, CA 91791
13 **Registered Nurse License No. 588849**

A C C U S A T I O N

14 Respondent.

15 Complainant alleges:

16 **PARTIES**

17 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
18 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
19 Department of Consumer Affairs.

20 **Registered Nurse License**

21 2. On or about October 10, 2001, the Board issued Registered Nurse License Number
22 588849 to Ingrid Ivonne Cadenas ("Respondent"). The registered nurse license was in full force
23 and effect at all times relevant to the charges brought herein and will expire on March 31, 2011,
24 unless renewed.

25 **STATUTORY PROVISIONS**

26 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
27 part, that the Board may discipline any licensee, including a licensee holding a temporary or an
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1 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
2 Nursing Practice Act.

3 4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not
4 deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or
5 to render a decision imposing discipline on the license. Under Code section 2811, subdivision
6 (b), the Board may renew an expired license at any time within eight years after the expiration.

7 5. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,
8 or cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to
9 proceed with a disciplinary action during the period within which the license may be renewed,
10 restored, reissued or reinstated.

11 6. Code section 2761 states, in pertinent part:

12 The board may take disciplinary action against a certified or licensed
13 nurse or deny an application for a certificate or license for any of the following:

14 (a) Unprofessional conduct.

15 (f) Conviction of a felony or of any offense substantially related to the
16 qualifications, functions, and duties of a registered nurse, in which event the record of
the conviction shall be conclusive evidence thereof.

17 7. Code section 2762 states, in pertinent part:

18 In addition to other acts constituting unprofessional conduct within the
19 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a
person licensed under this chapter to do any of the following:

20 (b) Use any controlled substance as defined in Division 10 (commencing
21 with Section 11000) of the Health and Safety Code, or any dangerous drug or
dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or
22 in a manner dangerous or injurious to himself or herself, any other person, or the
public or to the extent that such use impairs his or her ability to conduct with safety to
23 the public the practice authorized by his or her license.

24 (c) Be convicted of a criminal offense involving the prescription,
consumption, or self-administration of any of the substances described in
25 subdivisions (a) and (b) of this section, or the possession of, or falsification of a
record pertaining to, the substances described in subdivision (a) of this section, in
26 which event the record of the conviction is conclusive evidence thereof.

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1 SECOND CAUSE FOR DISCIPLINE

2 (Criminal Convictions Involving Alcohol)

3 10. Respondent is subject to discipline pursuant to Code section 2761, subdivision
4 (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (c), in
5 that Respondent has been convicted of crimes involving alcohol, as more particularly set forth in
6 paragraph 9, above.

7 THIRD CAUSE FOR DISCIPLINE

8 (Criminal Convictions)

9 11. Respondent is subject to discipline pursuant to Code section 2761, subdivision
10 (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (b), in
11 that on May 7, 2008, March 30, 2008, and August 12, 2006, Respondent used alcohol to an extent
12 or in a manner dangerous or injurious to herself or others, as more particularly set forth in
13 paragraphs 9, and 10, above.

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

17 1. Revoking or suspending Registered Nurse License Number 588849, issued to Ingrid
18 Ivonne Cadenas;

19 2. Ordering Ingrid Ivonne Cadenas to pay the Board of Registered Nursing the
20 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
21 Professions Code section 125.3; and,

22 3. Taking such other and further action as deemed necessary and proper.

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24 DATED: 1/12/10

25 *Louise R. Bailey*
26 LOUISE R. BAILEY, M.Ed., RN
27 Interim Executive Officer
28 Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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